

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)
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2015-1, BY U.S. BANK NATIONAL ASSOCIATION
AS LEGAL TITLE TRUSTEE

In Re:
David M. Ellis, Unok Ellis

Debtors.



Order Filed on June 14, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 17-19462 CMG

Adv. No.:

Hearing Date: 4/18/2018 @ 9:00 a.m.

Judge: Christine M. Gravelle

ORDER RESOLVING MOTION FOR RELIEF FROM STAY VIA LOSS MITIGATION PROGRAM

The relief set forth on the following pages, numbered two (2) through two (2) is hereby **ORDERED.**

DATED: June 14, 2018


Honorable Christine M. Gravelle
United States Bankruptcy Judge

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Debtor: David M. Ellis, Unok Ellis

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Caption of Order: ORDER RESOLVING MOTION FOR RELIEF FROM STAY VIA LOSS MITIGATION PROGRAM

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, U.S. ROF IV LEGAL TITLE TRUST 2015-1, BY U.S. BANK NATIONAL ASSOCIATION AS LEGAL TITLE TRUSTEE, Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 43 Watson Place, Eatontown, NJ, 07724, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Eugene D. Roth, Esquire, attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that the Debtor is to make adequate protection payments per the terms of the loss mitigation order; and

It is further **ORDERED, ADJUDGED and DECREED** that the Secured Creditor does not waive its rights to any pre- or post-petition arrears; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Debtor will apply for a loan modification by June 30, 2018; and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if any of the loss mitigation payments (or regular monthly mortgage payments upon expiration of the Loss Mitigation Program) are not made within thirty (30) days of the date said payment is due or if Debtor does not submit a complete loan modification application by June 30, 2018, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtors' Chapter 13 plan and the motion is hereby resolved.

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Motion for Relief is hereby resolved.